

Remarks/Arguments

Claims 1 to 5, 7 to 9, 18 to 23, 30 to 33 and 35 to 40 are pending. Claims 1, 35 and 36 have been amended.

The undersigned attorney thanks Examiner Frederick Parker for the courtesy of the interview on July 20, 2006. The agreed upon amendments to the specification and claims are enumerated on the Interview Summary, and are noted as such herein.

Entry of the specification and claim amendments is requested as they should eliminate the remaining issues and put the case in condition for allowance.

The Office Action stated that the Examiner notes that the non-elected Claims 10 to 16 and 24 to 29 have been cancelled.

The Office Action stated that receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

The Office Action stated:

"Specification"

"2. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use."

"Arrangement of the Specification"

"As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold

type, as a section heading. If no text follows the section heading, the phrase 'Not Applicable' should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), 'Sequence Listings' (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or REFERENCE TO A 'MICROFICHE APPENDIX' (See MPEP § 608.05(a). 'Microfiche Appendices' were accepted by the Office until March 1, 2001.)
- (f) BACKGROUND OF THE INVENTION
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.

- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A 'Sequence Listing' is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if required 'Sequence Listing' is not submitted as an electronic document on compact disc)."
[Emphasis Supplied]

The Office Action stated that this issue was ignored in the previous responses. The guidelines for the arrangement for the specification are not mandatory, however the applicant has inserted appropriate headings in the specification as per the interview agreement.

The Office Action stated that the objections to duplicate claims have been withdrawn because of applicants' amendments.

The Office Action stated that the objections due to minor informalities are withdrawn because of applicants' amendments.

Claim 1 has been objected to because of the following informalities: last line, "the" should be inserted before subsequent for clarity. The Office Action

stated that appropriate correction is required. Claim 1 has been corrected with the word "a", as required by the Examiner during the interview.

This objection should be withdrawn.

The Office Action stated that the rejection under 35 U.S.C. 101 of Claim 17 is withdrawn because of applicants' amendments of the claim.

The Office Action stated: that the amendments in response to the 35 U.S.C. 112 rejections of the previous Office Action are acknowledged and appreciated, and the Examiner has withdrawn the rejections; and that new rejections are necessitated by the amendments.

The Office Action stated that the following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 17, 34 and 35 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. Applicants traverse, in part, this rejection.

The Office Action stated that Claims 17 and 34 are vague and indefinite because the claims fail to set forth any definite positive process steps to delimit the intended process. As a result of the interview, applicants have cancelled Claims 17 and 34.

The Office Action stated that Claim 34 is vague and indefinite because the relative or indefinite terms: (1) "small" does not convey the intended size of the bag, is not defined by the specification, and by virtue of its relativeness would be unascertainable to one skilled in the art; (2) "pouch-type" does not clearly convey the intended packaging; and (3) the meaning of "cushion-tube" in context is unclear. This now moot since applicants have cancelled Claims 17 and 34.

The Office Action stated that Claim 35 is vague and indefinite because the relative term "highly" does not convey the intended degree of charging, is not defined by the specification, and by virtue of its relativeness would be unascertainable to one skilled in the art. Applicants cancelled such term.

This rejection should be withdrawn.

The Office Action stated: that applicants' extensive review of the Examiner's previous Office Action and lengthy arguments are noted; that response thereto is moot because the amendments have overcome most of the rejections/objections are noted, except as repeated; and that the new rejections/objections are necessitated by the amendment.

The Office Action stated that the prior art does not teach nor suggest a method of manufacturing a flexible packaging material from a film or film-like laminate by transferring and applying thermally activated hot-sealing adhesive coating particles by electrostatic means onto at least a surface of the film or film-like laminate, and the solidifying the adhesive, the adhesive properties being reactivated by heating in a subsequent sealing operation.

The Office Action stated that Claims 1 to 5, 7 to 9, 18 to 23, 30 to 33 and 36 to 40 are allowable, as would be Claim 35 if the rejection under 35 U.S.C. 112 was overcome. Applicants thank the Examiner for indicating the allowability of such claims.

Reconsideration, reexamination and allowance of the claims are requested.

Respectfully submitted,

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Date

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<p>CERTIFICATE OF FACSIMILE TRANSMISSION</p> <p>I hereby certify that this correspondence is being sent via facsimile to <i>Examiner Parker of Group Art Office: 1762</i> at fax number <i>571-273-8300</i> on <i>July 26, 2006</i>.</p> <p><u>Leslie Stepany</u> FISHER, CHRISTEN & SABOL 1725 Street, N.W. Suite 1108 Washington, D.C. 20006</p>
